App F IX—4

Previous References

1952 53
(Cur)

File No 27 32
Serial Nos 13, 58
92 108 109 110

Later References

MYSORE GOVERNMENT SECRETAR AT

Serial Nos 6 P-57/B

Part B for December 1955

SUBJECT

Rules Regulating the Compounding of Offences against the Corporation Act — Bye laws and Rules

WD 05150—GPB—30 000—18 10 56

L 12065/24 12 55

To Commissioner C C B
(Thro the Mgr)

Requests to Revise the Rules and Forwards the Same for Consideration of Govt —

C Ramaiah
29/4/57

G R S APP F III—1]

GENERAL AND REVENUE SECRETARIAT

( )

NOTES

C H File No 27 52

FILE HEADING

Rules Regulating the Corresponding of Officers Against the Corporations Act. Byelaws and Rules

FROM The Commissioner, Corporation of the City of Colombo

No A 1-72/9/52 Dated 4-2-9-52 Received -

Diary No 4941	Enclos:	Spare copies	Serial No

(~~BRIEF ABSTRACT OF LETTER~~)

Forwards a draft of the Rules for the Corresponding of Officers as approved by the Corporation at its Resolution dated 8-9-52 for Sanction

NOTES AND ORDERS

The draft Rules sent up by the Commissioner are based on the Rules issued under the old B M Laws.

2) The draft as submitted by the Secretariat Side the file may be referred to the Legislation Branch for Scrutiny of the draft and Recommendations

Mac 8/10/52

3) Does not the draft require Abbreviation of some words in Heading etc

8/10

NOTES — First Sheet

WD 015470—GPB—5 000 -24 9 51

1781/LD

File No V 4941 and of 1952-53 | General and Revenue Secretariat

4) The Rules could issue as a Notification after following the procedure prescribed and Rule 366 Calcutta Change have been amended in the draft giving a title to the Rule. The Legs Branch will scrutinise the draft and give it the final shape. The draft may therefore be referred to the Legs Branch for scrutiny of the draft.

Asst 9/10/52

Secy 9/10/52

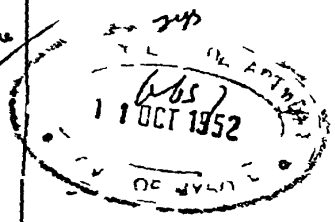
5) Legs 10/10/52

~~Law Secy~~

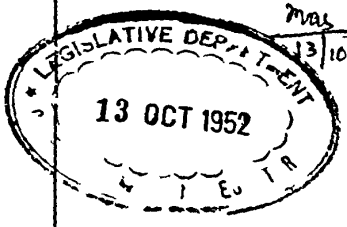
6) Secy

7) Legs 11/10

8) Secy 13/10



Sri KN Sy 13/10/52



9) Reference is invited to S 423(b) of the Cr.P.C. that the draft rules have to specify each offence against the Act, Rule, Bye-law, or Regulation, to be given the description of the offence and the specific provision of the Act, Rule bye-law, or regulation offended against.

10) And S 423(b), the only a reference to

Rules under the Corporation Act ~~are~~ are re-Compounding
1781 4961
& such offences ~~have~~ to be made Officers
If appo, the administrative Leeth
will be requested to submit revised
draft rules or suggested clause

Secy 14/10/52 11) Since our Act is based on the Madras Act, the rules in force ~~Hon'ble~~ there may also be referred to, before finalising the draft (Law Secy)

7 JUS 1 NOV 1952 9/11/1

Mas 31 10 52

Revs 31/10

12) The Madras Rules on this a ' form may be obtained & put up

Secy Legs)

Revs 6/11

Revs 6/11

13) Draft Letter Chief Commr, Corporation of Madras is put up for approval

Revs 11/11/52

Secy 11/11/52

14) Issue 12/11

To

The Commr Madras Corporation
No L 12912 Dated 14 11 52
Calls for a copy of the Madras Rules

Sec A- 21/11/52

4941 J6953/2d T1162/GR 5-2-53

Rules under the Corporation Act Re Corresponding offences

From
The Secretary Madras Corpn
to L Dis & no A4-1578/52 dt 6.12.52
Requesting the information called for

15) It is seen from the letter of the Secretary, Madras Corporation that no byelaw for the corresponding of offences has been framed there so far test Madras. The Subject dealt with in the Madras City Municipal Act and the several byelaws framed by the Corporation he has offered to send a complete set of the Madras Bye-laws & the cost of Rs 3-0 for it — to be paid

16) For orders & one up to-date copy of the Madras bye laws may be obtained — Ref para 12 above

Wan 22/12/52
DR 22/12

17) If approved, the Registrar GRS will be requested to get a copy & keep it in the library, as the book will have to be referred to frequently

Secy dept

18) Regd 21/2 5/2 20/2 21/2/53

19) Please Purchase the book mentioned above

Regd GRS 21/2/53

SECRETARY TO GOVERNMENT
1219
26 DEC 1952

5/1/53

1781

Rules under the Corporation Act re Compounding of Offences

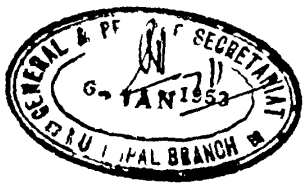
710/52 Leg 1162/52 6953/ml

Subs Extract of the notes (paras 15 to 20) has been taken & separate action is being taken to obtain a set of the bye laws framed by the Corpn of Madras

20) The papers may be returned to the Rl Branch after perusal

Mng 5/1/53

To Secrett Rl Branch) RB 6/1/53



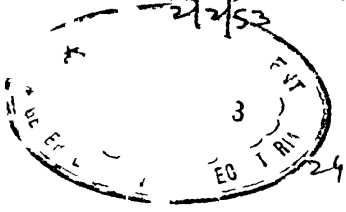
21) The file may now be referred to the Law Secretary with reference to para 17 ante 12 above

Under Secy Legislation) 31/1

Leg 30/1/53

Sec 30/1/53

Sec KNG may 2/2/53

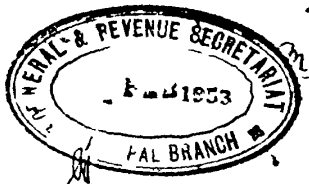


23) Nw 4/2

24) It is stated that no bye law for the compounding of offences has been framed by the Madras corporation but that the subject is dealt with in the Madras Act and the bye laws framed by the Corpn ~~Submitted W.R. to para 11 and 12~~

The Administrative Secty may be requested to examine the Madras bye-laws on receipt and then decide the question of the offences to be specified as compoundable

Mng 4/2/53



Mas 2/53

Asst Secy Mund) 25) Nw 6/2

26) The Registrar may be requested to send the Books have been received from the Bank

Leg 9/2/53

Sec 9/2

Regr HCS) 27) Nw 11/2

805/52-53

1294
G.R

6958/ml

28) One set of the Bylaws framed under the Madras Municipal Act, has been received. It may be taken if required, after furnishing acknowledgement on the Library Ledger

11/2/53

13/2

Submitted

13/2

29) Two copy-laws framed by the Madras Corporation as obtained from the Collector for the reference of the Law Dept and Collector

30) The file may also be referred to the Legislation Branch

19/2/53

19/2

31) The see remark, while the spares suggested and note further

20/2/53

32) All the Bye-laws of the Madras Corporation were gone through it is seen from none of them declare any offences to be compoundable, nor the procedure for such compoundings prescribed anywhere

33) The bye laws are framed under See 363 of the Blore corporation Act, the power for compoundings offences as given to the Commr, in Sub See (a) of See 443 of the Act. The two provisions being separate it is doubtful whether these subject can be brought appropriately

6953/M

Rules under the Corporation Act Re: Compounding Offences

ce the Legislature It has been held by the Law Dept that the Licensing provisions should not be included in the Bye-laws for similar reasons and the same principle has to apply in the case of Compounding also

34) See 423 (6) of the Act empowers the Commissioner to Compound any offence against the Act Bye laws Rules or Regulations but this is subject to Rules being framed by the Govt wherein it should be declared what offences specified therein are Compoundable Hence whatever may be the position in Madras it appears necessary to frame Separate Rules for the Compounding of offences

35) The file may now be Referred to the Legislation Branch with reference to para 24 and 25 above

6/11/53

35) It is not necessary to get draft Rules for Compounding offences from the Commr as suggested in Para 9

6/4

SECRETARY TO GOVERNMENT 685 18 AUG 1

1714

37) In Para 1 of the Notification, it is stated that all offences referred to in Subsection 1 and 2 of Section 376 of the Corpn Act shall be compoundable Now the Govt may kindly be requested to Sanction the Rules & the Notification (Copy draft)

1714

1 6953
mc

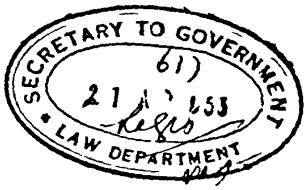
1781/LD

Rules under the Corporation Act
Re Compounding offences

38) Postpo Sanctg

Lgo
20/4

Law Secy)



61)

Rec
21/4

Sr KNG
mail 22/4/53

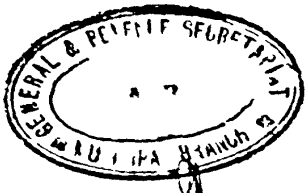
39) The administration Secy have stated that Madras Bylaws have been examined and that there are no provisions similar to suggested Sec 423 suggested
Refers to rules & /, as already suggested
at para 12, the Rules - and not bylaws -
in force in Madras if any may kindly
be referred to and posted up for reference

Sus A
BM

Asst Secy
Asst Secy must)

Rec
27/4

Dy
22/4/53
Rec



28/4

22/4 40) Copies of Rules of the Madras Corporation are not available in the Secretariat Library

41) A draft letter to the Commr Madras Corporation is putup for approval or other orders

To the commr Corpn Madras
(Mayor)
L 2797/e dt 27-52-92
Request to send a copy

Dr
19/6/53
20 GM 20/5

Dr
21/5

Dr
21/5

Rules under the Corporation Act for the Compounding of Offences [App I 111 2

General and Revenue Secretariat

1781/AD File No 6953 of 1933

WD 02-01—CPB—10 000—7 1 3

Serial No

From

The Dy Secy Madras Corpn

No A 4-967 dated 16 6 53

Requests the information called for

(a) The Madras Corporation is reported to have not declared particular offences to be compoundable under Sec 343 (2) of their Act

(b) With the above information the file may be referred to the Legislative Department Ref para 39 above

Secy Law

2/8

(c) 14/8/53

8/8/53

41) 25/8

Secy Law 24/8

4531 21 AUG 1953

4967 25 AUG

43) It is stated that no rules have been framed in Madras (Reference para 9 & 12) the administrative Deptt will be requested to take suitable action as suggested in paras 9 & 10 ✱

(d) The provisions of Law under which the Govt can regulate the procedure of the Commissioner for compounding offences is not clear Sec 423(b) empowers Govt only ✱ to declare the offences

25 AUG 1953

Note—Contn Sheet

Rules under the Corporation Act – Re Compounding Offences

File No 1781/LD/820/LD of 19 1933/mc | General and Revenue Secretariat

52 53 53-54

Serial No

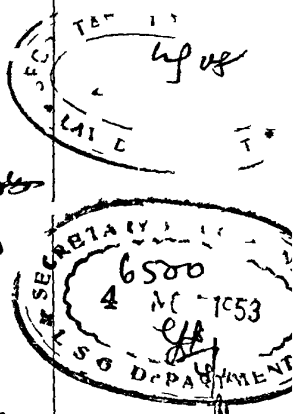
Offences which are compoundable A rule making legally such a declaration seems adequate

MRS 26.8.53

47) MRS 26/8

Law Secy)

48) The Rules should clearly specify which of the offences under the Act, Rules or Bye-laws or Regulations are compoundable



Secretary - L SG) 2/11/53

49) Draft Rules & the Concerned CCB as put up for approval

CB 13/10/53

BSR 13/11/53

50) Issue

To Exam Concerned, Corporation No L 10800 dated 17 11 53 calls for a Revised draft of the Rules

See A- 19/11/53

BSR 24/11

51) Reminder as put up

BSR 21/1

52) Issue

BSR 21/1

R No L 13785 /21-1-54

53) Reminder as put up

BSR 23/4

54) Issue BSR 27/4

R No L 10588 / 27-4-54

C & O-2 No 5988 dated 4-8-53

Rules for Compounding Offences under Corporation Act

[App F III 2]

Mysore Government Secretariat | 1953 | File No 509/Rule/53 of 195

Serial No

To
The Commissioner CCB
Letter no A1 72/53 SC(SY) dated 16/18-4-53
Forwards ten revised Rules

55

As observed at Para 48 ante the Commissioner CCB has forwarded the draft Rules and a list of offences Compoundable by the Commissioner under the Corporation Act He has not suggested any offences to be Compounded under the Rules or Bye laws of the Corporation they may kindly be instructed to the Law Secretary for Scrutiny

Reference to Para 48 ante

R 29/4/53 25/5

Secy (Edn & Lds)

315

1966
3 MAY 55
56

Rule (1) proposed requires clarification It reads as though the offences to be Compounded are mentioned as Schedule to the Rules & Bye-laws as in force ? There is no such entry under (1) requires to be modified The Commissioner may be consulted again

29/5/53

NOTE Contn sheet

Rules for Compounding Offences under the Coffee Act

File No 609/ont 53229 of 19

Mysore Government Secretariat

Serial

57) Draft letter is put up

58) Put up a typed draft

59) Typed draft is put up

60) Issue

To the Commr Coffee
L 1750 dt 20-5-53
Calls for suggestions Particulars

To

The Commissioner Coffee
Letter no A1 72/53 56 dated 29-7-53
forwarding the amended Rules

61) As per orders at Para 56, the Commissioner Coffee has requested to amend the Rule 1 of the draft Rules the revised Rule 82(1) Contains refers to offences under Bye-laws and Rules Part the Appendix A to the draft Rules indicate only offences under the several Sections of the Act for orders

There may be some

WD (71-GII-50 5(E)-5 10 1

Rules for Compounding Offences under the Cooperative Act

Mysore Government Secretariat | File No 609/ord/3229/ord of 195 | 1109/55-56 [App-E III 2 13

Serial No 62

It is stated that the offences compoundable shall be those which are detailed as ~~table offences~~ in appendix I of the proposed rules and specified in schedule VI and VII as also those offences which are made punishable by the rules and bye-laws bearing on the sections & subjects bearing on the ~~schedule~~ schedule bearing on the sections and sub-sections specified in the schedule The Law Dept may perhaps be consulted when the the proposed rules may need be approved & ~~as~~ Ref para 56 of the notes

Mg 31/8

63) These may kindly be referred to Law

Secy for Secretary

Secy (Edn & Agy) 3/9

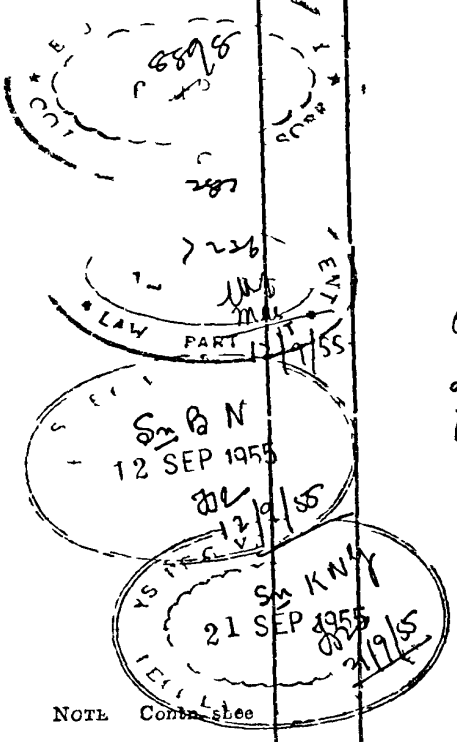
64) For Law Secretariat

10/9/55

Law Sec) 12/9

65) Reference is invited to Rule 1 of the draft Rules put up by the Administrative Secretariat

S 423 (6) (a) refers to compounding of offences against the Act, the rules, bye-laws or regulations which may by rules made by the Govt be declared compoundable The Administrative Secretariat Law therefore to take action to specify



NOTE Committee

Rules for Compounding Offences - Corporation

File No 3289/rul of 19

Mysore Government Secretariat

Serial

~~Not~~ merely the several provisions of the Act as is mentioned in the table annexed to the draft Rules put up, but also specifically mention in the table the several offences under the ~~byelaws~~ rules byelaws or regulations framed under the Corporation Act may have to be specified clearly so that any person who wishes to Compound any offence may readily able to understand the relevant provisions of rules byelaws and regulations what much of/penalty Courts also should Know which offences are compoundable

The Appendix I to the draft was put up while containing most of the several provisions contained in Schedules VI and VII omit some others. They may also be examined by the Administrative Secty if necessary to be incorporated

The administrative Secty has to revise the draft as stated above and also check up the Section numbers with the description of the offences given against each

WDO 4-C"T-80 CCC-5 10 '4

Rules for compounding of offences under the Corporation Act.

Mysore Government Secretariat

File No 3229/5023/ml 3 2 2 9 of 193 1109/CD

[App F III 2

Serial No

1) Draft rules have to be framed under S 365 read with S 423 the procedure laid down in S 366 & the Act has to be followed

Secy 24/11/55

66) mas 1/12/55

Law Secy

67) mr 1/12

mas 2/12/55

2/12/55

31/12

68 Draft letter is put up on the opinion of the Law dept 69) Issue

2/1

mr 2/1/56

To

The commissioner, C C & Hon Mayor

Issued no L12065/etc 27-12-110 d/24-12-55

requests to peruse the rules and forward the same for consideration of Govt

Remarks is put up

mr 20/1

R no L 2188 D 1-2-56

27-12-55 DC

NOTE. Contd sheet

Rules for compounding of offences under the Corpn Act-

File No of 19

Mysore Government Secretariat

Serial

Mysore Government Secretariat

5023/M 5175 Laws-56 [App F III 2
1512 File No of 195
21/55 56

Serial No

Letter no A1-5/5556 dated 7/10/55 from the Commissioner, Corporation of the city of Bangalore re: rules for compounding offences

1) The main file in the Subject has been sent to the Law Secretary on 12/9/55 Vide D-No 3229

2) This may kindly be referred to the Law Dept for being placed in the connected file & for effecting the necessary changes as pointed out

Mys 27/10

Asst Secy Law

Asst Secy Law 4/11

Mys 7/11/55

4) Submitted the main file referred to is submitted separately and the connected file has been taken action & returned with notification on the basis of orders on that file. The draft notification will be returned & the connected file for necessary action & circulate it & the notification to be issued and put up in the main file

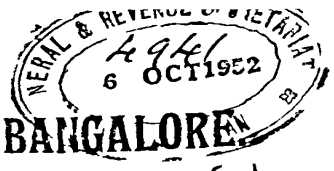
Mys 29/4/58

Joint 24/11/55

Asst Secy Municipal Mas 1/12/55

MYSORE (O.I.T.) SM K N S 7 NOV 1955 7/11

None—Contn Sheet



CORPORATION OF THE CITY OF BANGALORE

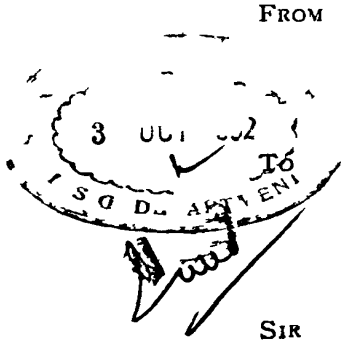
No A/1/72/9/52-53
Ena 40m

CORPORATION OFFICES
BANGALORE

C R 27 S 2 13 Dated 26th September 1952

FROM

B M ABU BAKER LSO M A (Hons)
COMMISSIONER,
CORPORATION OF THE CITY OF BANGALORE,
BANGALORE



TO

The Secretary to the Government of Mysore,
Local Self-Government Department,
BANGALORE

SIR

Subject - Rules regulating the compounding of offences against the Corporation Act, bye-laws and rules

- - - -

I write to state that under Section 423(b) of the City of Bangalore Corporation Act 1949 the Commissioner is empowered to compound any offence against the Corporation Act, bye-laws or regulations issued under the Act which may by rules made by the Government, be declared compoundable accordingly a set of rules has been framed mainly based on the rules issued under the old Bangalore Municipal Laws these rules are now in operation under the Transitional Provision Order 1949 The draft rules have been approved by the Standing Committee (Taxation and Finance) and the Corporation at their meetings held on the 27th May and 8th September 1952 respectively

I am therefore sending copies of the resolutions of the Standing Committee and Corporation and a copy of the Draft Rules for kindly taking action under Section 366(a) of the Corporation Act

Forwarded with compliments,

(B V Lankappa),
Mayor

Yours faithfully

(B. M. Abu Baker),
Commissioner

2

RESOLUTION PASSED AT THE ADJOURNED MEETING OF THE CORPORATION OF THE CITY OF BANGALORE, HELD ON THE 8TH DECEMBER, 1952

---

72 Recommendation of the Standing Committee (Taxation and Finance) dated 27th May 1952, that the draft Rules for regulating the compounding of offences against the Corporation Act, Rules and Bye-laws, be approved

Sri C Rajagopalachar moved the following resolution -

"Resolved that the recommendation of the Standing Committee (Taxation and Finance) dated 27th May 1952, that the draft Rules for regulating the compounding of offences against the Corporation Act, Rules and Bye-laws be approved, be accepted

Sri A Chengalroya Naidu seconded the resolution and it was passed

Sd/- B V Lankappa
Major

" C O P Y "

N Srinivasan
FW COMMISSIONER

27/9

No. L 12912 A 141/Wc2

PROCEEDINGS OF THE MEETING OF THE STANDING COMMITTEE (TAXATION AND FINANCE) HELD ON THE 27TH MAY, 1952

3

2 Deferred subject No 15/1-5-1952, - Draft Rules regulating the Compounding of offences against Corporation Act, Rules and By-laws

Resolution - Recommended that the Draft Rules be approved

Sd/- V I Govindarajulu
Chairman
Standing Committee,
(Taxation & Finance)

"COPY"

N Sreenivasulu
TAX COMMISSIONER
27/5

No. L 12912 Dt 14/4/52

4

To

The Commissioner

Corporation of Madras

Sir

I am directed to request you to be so good as to send a copy of the Rules issued under the Madras Corporation Act regarding the conduct of Officers as the Govt is requested for reference

Yours faithfully

14/4

for Secy

By

11/4/52

G D III 342
3 000—M h 1950

From

I.A.S
C. NARASIMHAM ~~XXXXX~~
Commissioner Corporation of Madras

G D L Dis C No AL-1578-52
C No

Dated 6-12-52

To

The Secretary to Government
of Mysore,
Local Self Government Department,
General and Revenue Secretariat,
BANGALORE

5

GENERAL SECRETARIAT
DEC 1952
6953

SECRETARY TO GOVT. OF MYSORE
8 DEC 1952
L.S.G. DEPARTMENT

CM27-52-58

Enclosures

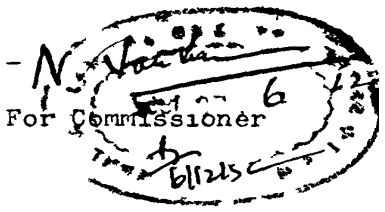
Sir

Subject — Bylaws - Compounding of offences - Supply of

No bylaw for the compounding of offences has been framed by the Corporation so far But the subject is dealt with in the Madras City Municipal Act and in the several bylaws framed by the Corporation Copies of the Act are not available in the Press A complete set of bylaws costs Rs 3-2-0 which if required, will be sent on payment of cost

As all correspondence with foreign States has to be conducted through the Local State Government, I would request you to address all communications pertaining to the Corporation administration to the

Secretary to Government, Local Administration Department,
Fort St George, Madras



For Commissioner

M K 6-12

6

Append'x F G—1]

SUBJECT Bye laws - Compounding of offences - Supply of.

Section C M

File No 27-52

Serial No 92

No 2791- dt 1-6-53

To The Commissioner

Corporation of Madras

Sir

Diary No of letter replied to

General and Revenue Secretariat

( )

the *195*

Date of issue

Signed by

With Reference to

your letter no G D L Dis

C no A 4 - 1578/52 dated

6 - 12 52 on the above

Subject I am directed to

State that Sec 398 (6)

of the Madras City Corporation

Act, 1919 Conferring Rules

Power framed by the Govt

Declaring particular Offences

to be Compoundable by

List of enclosures

Copied by

Examined by

-)

Chief Commissioner. I am to enquire whether any such Rules have been framed and to request you if so, to send a copy of the same for reference

Yours faithfully

21/5

for L.S.G Shay

20/5/53

6953/3

G D III 395
2 000—May 1952

From — 8

N SANKARAN MA LT
Deputy Commissioner Corporation of Madras

To

The Assistant Secretary to th- Government of Mysore,
L S.G. and Planning Department,
Mysore Government Secretariat,
Bangalore

1933
20 JUN 1953
GENERAL & MUNICIPAL BRANCH

L Dis
D /C No A-4-967 of 1953 dated 16th June 1953

Enclosures

Sir

Subject — Rules and Byelaws - Compounding of offences

Ref Your letter No 2797/C-M 27-52-92 dated 1-6-1953

No by-laws declaring particular offences to be compoundable have been framed by the Government under Section 398(b) of the Madras City Municipal Act

N H 17-6-53

N Vaidyanathan
Deputy Commissioner

17/6

(2) It is seen from the Branch Diary that this file is marked for 'A' on 16 6 53

(3) The Sec clerk and Mears put up the connected file as Correspondence with the Branch
23/7

(4) Verified The file referred to above is not found This may be referred to the branch to verify the same
30/7

(5) Branch Diary shows the above position as stated at para 2 above
30/7

Note —Contn Sheet

File No 1933/HL of 195

General and Revenue Secretariat

Serial No

[illegible]

Appendix F G—1]

SUBJECT Rules regulating the composition of 10 offences against the Corporation Act, Taxation and Rules

Section

File No

Serial No.

Diary No of letter replied to

No L10300/13/41-53

To

Mysore Government Secretariat

( )

the *195*

Date of issue

Signed by

The Commissioner CCB

(through the Mayor)

Sir,

With Reference to your letter No A/1/72/9/52-53 dated 26-9-1952 on the Subject I am directed to observe that the provision of Law under which the Bank can Regulate the procedure to be adopted by you for Compounding offences is not clear See 423 (6)

List of enclosures

Copied by

Examined by

of the Corporation Act empowers Govt only to declare the offences which are Compoundable and a Rule making such a declaration will be legally adequate I am to request you therefore to kindly accept the Draft Rules Returned herewith which may confine to Specifying therein each offence against the ~~Act~~ Rule, Bye-laws or Regulation which shall be declared ~~to be~~ Compoundable

Yours faithfully

for L S G Secy

13/11/53

168/B

12

CORPORATION OF THE CITY OF BANGALORE

No A 1 72/55-56 (5) Corporation Offices,
Misc Bangalore

Dated 16th April 1955

From

THE COMMISSIONER,
Corporation of the City of Bangalore,
Bangalore

To

The Secretary to Government of Mysore,
Education and L S G Departments,
Bangalore

Sir

Subject Rules regulating the compounding of offences against the Corporation Act, Bye-laws and Rules

---

With reference to your letter No L 10300 dated 17th November 1953, on the above subject, I write to state that the draft rules regarding compounding of offences have been revised suitably in the light of the observations made in your letter under reference

I am enclosing herewith the revised draft rules for kindly taking further action under section 366 (a) of the Corporation Act

Yours faithfully,

(K Henjerappa,) 16/4
COMMISSIONER

16/4/55

TNL/-

A 1 7250/55
20-5-55

DRAFT

13

To

The Commissioner,
Corporation of City of Bangalore,
Bangalore

Sir,

Subject - Rules for compounding offences

Reference - Your letter No A 1 72/55-56(5) dated 16/18-4-1955

***

With reference to the above I am directed to state that the Rule(1) of the draft Rules framed for compounding offences states as follows

"1 The offences compoundable shall be those which are detailed in the Appendix I of these rules and specified in Schedule VI and VII and also in the rules and bye-laws issued under the City of Bangalore Municipal Corporation Act, 1949

The latter part of the rules gives room to think that there are offences under the rules and byelaws also Is this a fact? If so, what are those rules They may be clearly stated If there are no rules under which some offences are made compoundable, then the Rule 1, requires to be modified

The draft Rules and the enclosures are returned herewith for reference and retransmission

Copy of Rules & Schedule 7 VII 7 offences may kindly be sent

Yours faithfully

Asst Secretary,
Edn & L S G Departments

HGN/dit 12/5

29/7/55

Appendix F G —1]
SUBJECT Rules for Compounding Offences 14

Diary No of letter replied to 509

Mysore Government S cretariat

( )

the *195*

Date of issue

Signed by

List of enclosures

Copied by

Examined by

Section C17
File No
Serial No
No L 1752/55
20-5-55
To The Commissioner Coorg

Sir

Ref: ~~Your~~ your letter no A1 72/53-56(5) dated 16/18-4-55

With reference to the above, I am directed to state that the draft Rules framed for Compounding Offences ~~and Contraventions~~ relates to the offences under the ~~Act~~ Rules and Byelaws framed under the Act

WD 04859—GPB—40 000- 29-1-54

29/7/55

5

Whereas the Schedule to the draft Rules contains only the Offences under the various sections of the Corporation Act ~~therefore, the Rule requires~~ Clarification

I am therefore to request you kindly to revise the Rules suitably and forward early.

The draft Rules and the enclosures are returned herewith for reference and retransmission

Y S

B D Roy
Secy

The latter part of the rules gives room to think that there are offences under the rules & Byelaws also. So this aspect. If so what are those rules may be clearly stated. If there are two rules under which some offences are made compoundable, then the rule is required to be modified

4/1

B/1

CORPORATION OF THE CITY OF BANGALORE

No A1 72/55-56 — One Three Copies of Rules ch

Corporation Offices
Bangalore
Dated 29th July 1955
5th Aug

509

From

THE COMMISSIONER,
CORPORATION OF THE CITY OF BANGALORE
BANGALORE

CH 27-52-108

The Secretary to Government of Mysore,
Education and L S G Departments,
Bangalore

Sir

Subject Rules for compounding offences
Ref Your letter No L 1750 dated 20-5-1955

With reference to the above, I write to state that the rule (1) of the draft rules framed for compounding offences has been modified as follows -

1 The offences compoundable shall be those which are detailed in Appendix I of these rules and specified in Schedule VI and VII and also those offences which are made punishable by the Rules and Bye-laws bearing on the sections and sub-sections specified in the said schedule "

Three copies of rules and three copies of list of offences are herewith enclosed as desired

I request that further action may kindly be taken under Section 366 (a) of the Corporation Act

Yours faithfully,

(V P Deenadayalu Naidu,)
MAYOR

(D R Chennarudraiya,)
COMMISSIONER

29/7/55

TNL/-

GOVERNMENT OF MYSORE
EDUCATION AND L S G DEPARTMENTS

No L Dated

In exercise of the powers conferred by sub-section (b) of Section 423 read with sub-section (1) of Section 365 of the City of Bangalore Municipal Corporation Act, 1949 (Act LXIX of 1949), the Government of Mysore are pleased to make the following rules regarding offences hereby declared compoundable -

1 The offences compoundable shall be those which are detailed in the Appendix I of these rules and specified in Schedule VI and VII and also those offences which are made punishable by the rules and bye-laws bearing on the sections and sub-sections specified in the said schedule

2 Before accepting composition, the Commissioner must satisfy himself by personal enquiry that there is reasonable ground to believe that the alleged offence has been committed In this enquiry the Commissioner shall always hear the statement of the accused person unless he is prevented from doing so by unavoidable circumstances, and as far as may be possible, the Commissioner shall conduct the enquiyy in the presence of the accused

3 The Commissioner shall not accept a larger sum than five hundred rupees in composition for any alleged offence

Provided that in cases where in his opinion, a larger sum may be reasonably demanded, the Commissioner shall not accept a larger sum than Rs 500/- until the composition has been ratified by a resolution of the Corporation

4 All compositions made or accepted by the Commissioner for offences against this Act, rules, bye-laws or regulations declared compoundable shall be deemed to have been made by virtue of the authority vested in him under these rules

5 For every composition accepted, a receipt shall caused to be issued to the party by the Head of the Department concerned or any other person authorised by him

6 The Commissioner or any other officer authorised by him of shall enter the particulars of every composition accepted in a register of the Form given in Appendix II of these rules

7 The said Officer shall pay the amount received by him in composition into the Corporation Treasury forthwith for the credit of the Corporation funds

"Copy'

Secretary to Government,
Education & L S G Departments

APPENDIX-I

OFFENCES COMPOUNDABLE WITH REFERENCE TO THE VARIOUS SECTIONS OF THE CITY OF BANGALORE MUNICIPAL CORPORATION ACT, 1949 AND THE RULES AND BYE-LAWS FRAMED THEREUNDER

Section of the Act	Sub-Sections	Nature of offence
106		Failure to give notice of transfer of title or to produce documents
107		Failure to send notice to Commissioner after completion of construction or reconstruction of building.
110		Failure of owner or occupier to furnish return of rent, etc
115		Failure of owner or occupier to comply with requisition to furnish list of persons carrying on profession, art, etc
116		Failure of employer or head of an office firm or company to comply with requisition to furnish list of persons in his employ
121		Failure of occupier to comply with requisition to furnish statement of vehicles and animals liable to taxation or furnishing incorrect statement etc
122	(2)	Failure of person liable to pay tax on carriages and animals to comply with requisition to furnish statements of vehicles and animals or furnishing incorrect statement
124	and 2	Failure to comply with order to affix and register number of carriage
125	(2)	Failure of owner to register cart
	(3)	Failure to have or keep registration number affixed to cart
174		Trespassing on premises connected with water supply
186		Failure to maintain house-drains etc , in conformity with bye-laws
187	2 and 3	Failure to comply with requisition as to house drainage
	(4)	Occupying or allowing occupation of house without proper drainage
189	1 (b)	Failure to comply with direction as to limited use of drain or notice requiring construction of distinct drain
190	(1)	Unlawful construction of building over public drain
		Failure to comply with requisition regarding culverts or to keep them free from obstruction
192		Failure to comply with requisition to maintain troughs and pipes for catching, etc , water from roof or other part of building
194	(2)	Keeping of public latrine without license
	(3)	Allowing public latrine to be in unclean condition or improper order

195		Failure to comply with requisition to provide latrine or to remove latrine to another side and failure to keep latrines clean and in proper order
196		Failure to provide latrines for premises used by large numbers of people or to keep them clean and in proper order
197		Failure to comply with requisition to provide latrines for market, cattle shed, or cart stand, or to keep them clean and in proper order.
198		Failure to construct latrines so as to screen persons using them from view
204	1	Failure of occupier to comply with direction to collect rubbish and filth and deposit them in a box or basket or other receptacle of his own at or near premises
	2	Failure to comply with direction to collect rubbish and filth and deposit them in public receptacle
205	(a)	Failure to comply with direction to collect and remove rubbish and filth accumulating on business premises
210	(1)	Allowing rubbish or filth to accumulate on premises for more than twenty-four hours
	(2)	Irregular deposit of rubbish or filth
	(3)	Depositing carcasses of animals, rubbish or filth in improper places
	(4)	Keeping rubbish or filth for more than twenty-four hours, etc
	(5)	Allowing filth to flow in streets
218		Building within street alignment or building line without permission
223		Unlawful displacement, etc , of pavement or fences posts and other materials of public street
226		Unlawful making or laying of new street
227	(1)	Failure to comply with directions to alter or demolish private streets
228	(1)	Failure to comply with requisition to metal etc , private street,
231		Allowing doors, ground-floor windows, etc , to open outwards without license or contrary to notice
232	(1)	Failure to remove permanent encroachment
233	(1)	Failure to remove temporary encroachment
235		Unlawful removal of bar, or storing of timber, etc , or removal or extinction of light
236		Making holes and causing obstruction in street
237		Construction etc , of building without license where street or foot-way is likely to be obstructed
238	(3)	Unlawful destruction, etc , of name of street
239	(2)	Unlawful destruction, etc., of number of building
241	(5)	Constructing or reconstructing buildings contrary to declaration issued by Corporation

Construction, reconstruction or retention of external roof, etc . with inflammable materials

Commencement of construction or re-construction of a building without permission

Constructing a building against orders of the Commissioner refusing permission till the private street or approach to the same is commenced or completed

Failure to obtain fresh permission for construction or re-construction of a building after lapse of permission of one year

Failure to comply with directions to alter the building work

Commencement of construction or re-construction of a hut without permission

Failure to obtain fresh permission for construction or re-construction of any hut after lapse of permission of six months

Failure to keep external walls of premises in proper repair

Unlawful commencement of construction or re-construction of building or well etc

Failure to comply with requisition to take down repair or secure dangerous structure

Failure to comply with requisition to secure lop or cut down dangerous ~~six~~ trees

Failure to comply with requisition to repair, etc , tank or other dangerous to passers by or persons living in neighbourhood

Failure to comply with notice regarding precautions against fire

Constructing wells, tanks, etc , without permission

Failure to comply with requisition to stop dangerous quarrying

Failure to comply with requisition to fill up, etc , tank or well, or drain off water etc

Cultivating contrary to prohibitions or regulations

Failure to comply with requisition to cleanse or close, etc , tanks, well or other source of water used for drinking, bathing or washing clothes

Defiling water in tanks etc

Failure to comply with requisition to enclose, clear or cleanse untenanted premises

Failure to comply with requisition to clear or cleanse, etc , building or land in filthy state or overgrown with any thick or noxious ~~vegetables~~ *Vegetation*

Failure to comply with requisition to abate nuisance cause or likely to be caused by dumping etc , of coal, ashes, etc

Failure to comply with requisition to fence building or land or trim, prune or cut hedges and trees or lower an enclosing wall

279		Failure to comply with requisition to lime-wash or otherwise cleanse building.
280		Failure to comply with requisition to execute work or take other action with respect to insanitary buildings
281	(2)	Using or allowing the use of buildings unfit for human habitation after prohibition
281	(4)	Failure to comply with requisition to demolish the same
282	(1)	Allowing overcrowding in buildings after order to abate the same
282	(4)	Failure to comply with requisition to vacate overcrowded building or room
286	(1)	Keeping a lodging house, eating house, tea shop, etc , without license or contrary to license.
287	(a)	Unlawful of keeping of pigs
	(b)	Unlawful keeping of animals so as to be nuisance or dangerous
	(c)	Feeding of animals on filth,
289		Use of place as stable, cattle-stand, etc , without license or contrary to license .
290		Failure to comply with directions to alter. pave, repair the cattle shed or cow house
291		Construction of maintenance of stable, cattle-shed etc contrary to Act of subsidiary legislation
293		Using a public place or the sides of a public street as a cart-stand. etc,
295	(1)	Opening, or keeping open a new private cart-stand without license or contrary to license
296		Failure to remove carcass of animals
297	(1).	Using a place for any of the purposes specified in Schedule without license or contrary to license
298	1,2	Unlawful creation of factory, workshop, work place or machinery
298	(5)	Disobedience of order regarding chimneys
299	(1)	Disobedience of order regarding abatement of nuisance
299	(2)	Disobedience of order prohibiting the working of factory, etc , or the use of particular fuel
300		Failure to comply with requisition to put up factory etc in order, to abate overcrowding etc
301		Disobedience of order regarding abatement of nuisance or danger to life etc
306	(2)	Washing of clothes by washerman at unauthorised places
308		Use of place as slaughter-house without license or contrary to license,
310		Slaughter of animals for sale or food or skinning or cutting up carcasses without license or contrary to license or drying skin so as to cause a nuisance

313		Sale or exposure for sale in public market of animal or article without permission or contrary to permission
314	(2)	Opening private market without license or contrary to license
~~315~~ 335		Keeping open private market without license or contrary to license
318		Sale or exposure for sale of animal or article in unlicensed private market
319		Failure to comply with direction to construct approaches, drains. etc . to private markets or to pave them, etc
320	(2)	Opening, or keeping open of private market after suspension or refusal of license for default to carry out works
321		Breach of market regulations
323		Failure of person in charge of markets to expel person suffering from leprosy or other infectious or contagious disease
324		Carrying on butcher's , fishmonger's, or ~~poul~~ poulterer's trade without license
325		Sale or exposure for sale of animal or article in public street
329		Preventing the Commissioner or any person authorised by him from exercising his powers of entry, etc., under Section 357
331		Removing or in any way interfering with an animal or article secured under section 359
335	(1)	Opening, etc , without license a new place for disposal of the dead
337	(4)	Use or allowance of use of unlicensed burial or burning ground
		Use or allowance of use of unregistered burial or burning ground
338		Failure to give information of burials or burnings in burial or burning ground
339		Construction of vault or grave or burial of corpse in place of ~~public work-shop~~ worship
340	(3)	Burial or burning in place after prohibition
341		Burial or burning, etc , of corpses
343		Discharge of office of grave digger or attendant at place for disposal of dead without license
346		Failure of Medical Practitioner or owner or occupier to give information of existence of dangerous disease in private or public dwelling
350		Failure to comply with requisition to cleanse or disinfect building or article
352	(2)	Washing of infected articles at unauthorised places
353		Giving, lending etc , of infected articles
354	~~(x)~~	Infected person carrying on occupation
355	(1)	Entry of infected person into public conveyance without notifying fact of infection
356	(1)	Failure to disinfect public conveyance etc
356	(2)	Using before obtaining certificate from Health Officer a public conveyance in which an infected person travelled

357		Meeting or subletting of infected building without certificate from the Health Officer.
358		Failure to close place of public entertainment
359		Sending infected child to school.
360		Use or permitting the use of book from public or circulating library by infected person
364		Entering City within forty days of inoculation for small-pox without certificate
375	(4)	Destruction, etc , of board exhibiting printed copies of bye-laws and rules
385	(7)	Failure to produce license on request
389		Failure to comply with requisition to attend, produce, document or give evidence
399	(1)	Failure of occupier to comply with requisition to permit owner to comply with provisions of Act
401		Preventing the Commissioner or any person authorised by him from exercising his powers of entry, etc.
403		Failure to obtain licenses, etc , or of breach of the same
434		Removal etc , or notice exhibited by or under orders of the Corporation or Commissioner
435		Unlawful removal of earth, sand or other material from land vested in the Corporation or deposit of matter or encroachment in or on water courses.

Secretary to Government,
Education and L.S.G. Departments

30/7/55

APPENDIX II

Form of Register of Compositions

Serial No	Name, Caste and residence (Suspected offender)	Offence to be compounded with reference to section of the Act, rule or bye-law	Summary of statement of (suspected) offender or reason for not recording it	Summary of result of enquiry	Sum paid in composition	Remarks	Signature of Commissioner and date and number of the order
1	2	3	4	5	6	7	8

Secretary to Government,
Education and L S G Departments

TNL/-

GOVERNMENT OF MYSORE
EDUCATION AND LABOUR DEPARTMENTS

No. L dated

In exercise of the powers conferred by sub-section (b) of section read with sub-section (1) of section 363 of the Bangalore Municipal Corporation Act, 1949 (Act LXIX of 1949), the Government of Mysore are pleased to make the following rules prescribing offences hereby declared compoundable:-

1 The offences compoundable shall be those which are detailed in the Appendix I of these rules and specified in Schedule VI and II and also those offences which are made punishable by the rules and bye-laws bearing on the sections and sub-sections specified in the said schedule

2 Before accepting composition, the Commissioner must satisfy himself by personal enquiry that there is reasonable ground to believe that the alleged offence has been committed In this enquiry the Commissioner shall always hear the statement of the accused person unless he is prevented from doing so by unavoidable circumstances, and as far as may be possible, the Commissioner shall conduct the enquiry in the presence of the accused

3 The Commissioner shall not accept a lesser sum than five hundred rupees in composition for any alleged offence

Provided that in cases where in his opinion, a larger sum may be reasonably demanded, the Commissioner shall not accept a larger sum than Rs.500/- until the composition has been ratified by a resolution of the Corporation

4 All compositions made or accepted by the Commissioner for offences against this Act, rules, bye-laws or regulations declared compoundable shall be deemed to have been made by virtue of the authority vested in him under these rules

5 For every composition accepted, a receipt shall caused to be issued to the party by the Head of the Department concerned or any other person authorised by him

6 The Commissioner or any other officer authorised by him of shall enter the particulars of every composition accepted in a register of the form given in Appendix II of these rules

7 The said officer shall pay the amount received by him in composition into the Corporation Treasury forthwit for the credit of the Corporation funds

23/7 "Copy" Secretary to Government, Education Labour Departments

APP TIX-I

OFFENCES COMPOUNDABLE WITH REFERENCE TO THE VARIOUS SECTIONS OF THE CITY OF BANGALORE MUNICIPAL CORPORATION ACT, 1949 AND THE RULES AND BYE-LAWS MADE UNDER IT

Section of the Act	Sub-Sections	Nature of offence
106	1 and 3	Failure to give notice of transfer of title or to produce documents
107	1	Failure to send notice to Commissioner after completion of construction or reconstruction of building
110	1	Failure of owner or occupier to furnish return of rent, etc
115		Failure of owner or occupier to comply with requisition to furnish list of persons carrying on profession, art, etc
116		Failure of employer or head of an office firm or company to comply with requisition to furnish list of persons in his employ
121		Failure of occupier to comply with requisition to furnish statement of vehicles and animals liable to taxation or furnishing incorrect statement etc
122	(2)	Failure of person liable to pay tax on carriages and animals to comply with requisition to furnish statements of vehicles and animals or furnishing incorrect statement
124	1 and 2	Failure to comply with order to affix and register number of carriage
125	(2)	Failure of owner to register cart
	(3)	Failure to have or keep registration number affixed to cart
174		Trespassing on premises connected with water supply
186		Failure to maintain house-drains etc., in conformity with bye-laws
187	2 and 3	Failure to comply with requisition as to house drainage
	(4)	Occupying or allowing occupation of house without proper drainage
189	1 (b)	Failure to comply with direction as to limited use of drain or notice requiring construction of distinct drain
190	(1)	Unlawful construction of building over public drain
191		Failure to comply with requisition regarding culverts or to keep them free from obstruction
192		Failure to comply with requisition to maintain troughs and pipes for catching, etc , water from roof or other part of building
194	(2)	Keeping of public latrine without license
	(3)	Allowing public latrine to be in unclean condition or improper order

195		Failure to comply with requisition to provide latrine or to remove latrine to another side and failure to keep latrines clean and in proper order
196		Failure to provide latrines for premises used by large numbers of people or to keep them clean and in proper order
197		Failure to comply with requisition to provide latrines for market, cattle shed, or cart stand, or to keep them clean and in proper order
198		Failure to construct latrines so as to screen persons using them from view
204	1	Failure of occupier to comply with direction to collect rubbish and filth and deposit them in a box or basket or other receptacle of his own at or near premises
	2	Failure to comply with direction to collect rubbish and filth and deposit them in public receptacle
205	(a)	Failure to comply with direction to collect and remove rubbish and filth accumulating on business premises
210	(1)	Allowing rubbish or filth to accumulate on premises for more than twenty-four hours
	(2)	Irregular deposit of rubbish or filth
	(3)	Depositing carcasses of animals, rubbish or filth in improper places
	(4)	Keeping rubbish or filth for more than twenty-four hours, etc
	(5)	Allowing filth to flow in streets
218		Building within street alignment or building line without permission
223		Unlawful displacement, etc , of pavement or fences posts and other materials of public street
226		Unlawful making or laying of new street
227	(1)	Failure to comply with directions to alter or demolish private streets
228	(1)	Failure to comply with requisition to metal etc , private street
231		Allowing doors, ground-floor windows, etc , to open outwards without license or contrary to notice
232	(1)	Failure to remove permanent encroachment
233	(1)	Failure to remove temporary encroachment
235		Unlawful removal of bar, or storing of timber, etc , or removal or extinction of light
236		Making holes and causing obstruction in street
237		Construction etc , of building without license where street or foot-way is likely to be obstructed
238	(3)	Unlawful destruction, etc , of name of street
239	(2)	Unlawful destruction, etc , of number of building
241	(5)	Constructing or reconstructing buildings contrary to declaration issued by Corporation

243		Construction, reconstruction or retention of external roof, etc , with inflammable materials
245		Commencement of construction or re-construction of a building without permission
249		Constructing a building against orders of the Commissioner refusing permission till the private street or approach to the same is completed
250		Failure to obtain fresh permission for construction or re-construction of a building after lapse of permission of one year
252	(1)	Failure to comply with directions to alter the building work
257		Commencement of construction or re-construction of a hut without permission
261		Failure to obtain fresh permission for construction or re-construction of any hut after lapse of permission of six months
262		Failure to keep external walls of premises in proper repair
264		Unlawful commencement of construction or re-construction of building or well etc
265	1,2 & 3	Failure to comply with requisition to take down repair or secure dangerous structure
266	1	Failure to comply with requisition to secure lop or cut down dangerous ~~six~~ trees
267	1	Failure to comply with requisition to repair, etc., tank or other dangerous to passers by or persons living in neighbourhood
268	1 & 2	Failure to comply with notice regarding precautions against fire
269		Constructing wells, tanks, etc , without permission
270		Failure to comply with requisition to stop dangerous quarrying
271	(1)	Failure to comply with requisition to fill up, etc , tank or well, or drain off water etc
271	(3)	Cultivating contrary to prohibitions or regulations.
272		Failure to comply with requisition to cleanse or close, etc , tanks, well or other source of water used for drinking, bathing or washing clothes
274		Defiling water in tanks etc
275		Failure to comply with requisition to enclose, clear or cleanse untenanted premises
276		Failure to comply with requisition to clear or cleanse, etc , building or land in filthy state or overgrown with any thick or noxious ~~vegetables~~ *vegetation*
277		Failure to comply with requisition to abate nuisance cause or likely to be caused by dumping etc , of coal, ashes, etc
278		Failure to comply with requisition to fence building or land or trim, prune or cut hedges and trees or lower an enclosing wall

279		Failure to comply with requisition to lime-wash or otherwise cleanse building
280		Failure to comply with requisition to execute work or take other action with respect to insanitary buildings
281	(2)	Using or allowing the use of buildings unfit for human habitation after prohibition
281	(4)	Failure to comply with requisition to demolish the same
282	(1)	Allowing overcrowding in buildings after order to abate the same
282	(4)	Failure to comply with requisition to vacate overcrowded building or room
286	(1)	Keeping a lodging house, eating house, tea shop, etc , without license or contrary to license
287	(a)	Unlawful of keeping of pigs
	(b)	Unlawful keeping of animals so as to be nuisance or dangerous
	(c)	Feeding of animals on filth
289		Use of place as stable, cattle-stand, etc , without license or contrary to license
290		Failure to comply with directions to alter, pave, repair the cattle shed or cow house
291		Construcrion of maintenance of stable, cattle-shed etc , contrary to Act of subsidiary legislation
293		Using a public place or the sides of a public street as a cart-stand, etc
295	(1)	Opening, or keeping open a new private cart-stand without license or contrary to license
296		Failure to remove carcass of animals
297	(1)	Using a place for any of the purposes specified in Schedule V without license or contrary to license
298	1,2 & 3	Unlawful creation of factory, workshop, work place or machinery
298	(5)	Disobedience of order regarding chimneys
299	(1)	Disobedience of order regarding abatement of nuisance
299	(2)	Disobedience of order prohibiting the working of factory, etc , or the use of particular fuel
300		Failure to comply with requisition to put up factory etc , in order, to abate overcrowding etc
301		Disobedience of order regarding abatement of nuisance or danger to life etc
306	(2)	Washing of clothes by washerman at unauthorised places
308		Use of place as slaughter-house without license or contrary to license
310		Slaughter of animals for sale or food or skinning or cutting up carcasses without license or contrary to license or drying skin so as to cause a nuisance

30

13		Sale or exposure for sale in public market of animal or article without permission or contrary to permission
14	(2)	Opening private market without licence or contrary to license
35		Keeping open private market without license or contrary to license.
13		Sale or exposure for sale of animal or article in unlicensed private market
19		Failure to comply with direction to construct proaches, drains, etc., to private markets or to pave them, etc
20	(2)	Opening, or keeping open of private market after suspension or refusal of license for default to carry out works
21		Breach of market regulations
23		Failure of person in charge of markets to report person suffering from leprosy or other infectious or contagious disease
24		Carrying on butcher's, fishmonger's or poulterer's trade without license
25		Sale or exposure for sale of animal or article in public street
29		Preventing the Commissioner or any person authorised by him from exercising his powers of entry, etc, under Section 357
31		Removing or in any way interfering with an animal or article secured under section 359
35	(1)	Opening, etc, without license a new place for disposal of the dead
37	(4)	Use or allowance of use of unlicensed burial or burning ground.
		Use or allowance of use of unregistered burial or burning ground
38		Failure to give information of burials or burnings in burial or burning ground
39		Construction of vault or grave or burial of corpse in place of public worship
40	(3)	Burial or burning in place after prohibition
41		Burial or burning, etc, of corpses
43		Discharge of office of grave digger or attendant at place for disposal of dead without license
46		Failure of Medical Practitioner or owner or occupier to give information of existence of dangerous disease in private or public dwelling
50		Failure to comply with requisition to cleanse or disinfect building or article
52	(2)	Washing of infected articles at unauthorised places
53		Giving, lending etc, of infected articles.
54	~~(1)~~	Infected person carrying on occupation
55	(1)	Entry of infected person into public conveyance without notifying fact of infection
56	(1)	Failure to disinfect public conveyance etc
56	(2)	Using before obtaining certificate from Health Officer a public conveyance in which an infected person travelled

357		Lodging or occupying of infected building without certificate from the Health Officer
358		Failure to close place of public entertainment
359		Sending infected child to school
360		Person permitting the use of book from public or circulating library by infected person
364		Entering City within forty days of inoculation for small-pox without certificate.
375	(4)	Destruction, etc., of board exhibiting printed copies of bye-laws and rules
385	(7)	Failure to produce licence on request
389		Failure to comply with requisition to attend, produce, document or give evidence
399	(1)	Failure of occupier to comply with requisition to permit owner to comply with provisions of Act
401		Preventing the Commissioner or any person authorised by him from exercising his powers of entry, etc
403		Failure to obtain licences, etc., or of breach of the same
434		Removal etc., of notice required by or under orders of the Corporation or Commissioner
435		Unlawful removal of earth, sand or other material from land vested in the Corporation or deposit of matter or encroachment in or on water courses

Secretary to Government,
Education and Local Departments

·rial o	ame, ·aste grd residence (·uspected offend r)	Offe com ith to s tle or h					
1	2						

FORM III

Form of register of Compositions

rial o	ame, caste and residence (suspected offender)	Offence to be compounded ith reference to section of t e ct, rule or b,e-law	ry of statement of (suspected) offen er or rea on for not recogn it	Sur ary of result of en uiry	p id in co po-ition	Re ar s	Signature of Commissioner and date and number o tus order
1	2	3	4	5	6	7	8

Secretary to Govern ent,
d catio ed L G Departments

L/-

GOVERNMENT OF MYSORE
EDUCATION AND L S G DEPARTMENTS

No L , Dated

In exercise of the powers conferred by sub-section (b) of Section 423 read with sub-section (1) of Section 365 of the City of Bangalore Municipal Corporation Act, 1949 (Act LVIX of 1949), the Government of Mysore are pleased to make the following rules regarding offences hereby declared compoundable -

1 The offences compoundable shall be those which are detailed in the Appendix I of these rules and specified in Schedule VI and II and also those offences which are made punishable by the rules and bye-laws bearing on the sections and sub-sections specified in the said schedule

2 Before accepting composition, the Commissioner must satisfy himself by personal enquiry that there is reasonable ground to believe that the alleged offence has been committed In this enquiry the Commissioner shall always hear the statement of the accused person unless he is prevented from doing so by unavoidable circumstances, and as far as may be possible, the Commissioner shall conduct the enquiry in the presence of the accused

3 The Commissioner shall not accept a larger sum than five hundred rupees in composition for any alleged offence

Provided that in cases where in his opinion, a larger sum may be reasonably demanded, the Commissioner shall not accept a larger sum than ,00/- until the composition has been ratified by a resolution of the Corporation

4 All compositions made or accepted by the Commissioner for offences against his Act, rules, bye-laws or regulations declared compoundable shall be deemed to have been made by virtue of the authority vested in him under these rules

5 For every composition accepted, a receipt shall caused to be issued to the party by the Head of the Department concerned or any other person authorised by him

6 The Commissioner or any other officer authorised by him of shall enter the particulars of every corposition accepted in a register of the Form given in Appendix II of these rules

7 The said Officer shall pay the amount received by him in composition into the Corporation Treasury forthwith for the credit of the Corporation funds

"Copy"

Secretary to Government,
Education L S G Departments

APPENDIX-I

NCES COMPOUNDABLE WITH REFERENCE TO THE VARIOUS SECTIONS OF THE CITY OF ALORE MUNICIPAL CORPORATION ACT, 1949 AND THE RULES AND BY-LAWS FRAMED UNDER

tion of e Act	Sub-Sections	Nature of offence
106	1 and 3	Failure to give notice of transfer of title or to produce documents
107	1	Failure to send notice to Commissioner after completion of corstruction or reconstruction of building
110	1	Failure of owner or occupier to furnish return of rent, etc
115		Failure of owner or occupier to comply with requisition to furnish list of persons carrying on profession, art, etc
116		Failure of employer or head of an office firm or company to comply with requisition to furnish list of persons in his employ
121		Failure of occupier to comply with requisition to furnish statement of vehicles and animals liable to taxation or furnishing incorrect statement etc
122	(2)	Failure of person liable to pay tax on carriages and animals to comply with requisition to furnish statements of vehicles and animals or furnishing incorrect statement
124	1 and 2	Failure to comply with order to affix and register number of carriage
125	(2)	Failure of owner to register cart
	(3)	Failure to have or keep registration number affixed to cart
174		Trespassing on premises connected with water supply
186		Failure to maintain house-drains etc , in conformity with bye-laws
187	2 and 3	Failure to comply with requisition as to house drainage
	(4)	Occupying or allowing occupation of house without proper drainage
189	1 (b)	Failure to comply with direction as to limited use of drain or notice requiring construction of distinct drain
190	(1)	Unlawful construction of building over public drain
191		Failure to comply with requisition regarding culverts or to keep them free from obstruction
192		Failure to comply with requisition to maintain troughs and pipes for catching, etc , water from roof or other part of building
194	(2)	Keeping of public latrine without license
	(3)	llowing public latrine to be in unclean condition or improper order

195		ailure to comply with requisition to provide latrine or to r ove la*rine to another site and failure to eep latrines clean and in proper order
196		ilure to pro ide latrines for pre ised s by large n bers of p ople or to keep them clean and in p oper order
1 7		ailure to comply with requisition to provide latrines for pigsty, cattle sh d, or cart stand, or to ep them clean and in proper order
1		ilure to construct l trines so as to screen persons using them fro view
204	1	ailure of occupier to comply with dir ction to collect rubbi h and filth and deposit in the box or basket or other rec ptacle provided by or for premises.
	2	ailure to co ply with direction to collect rubbish and filth and deposit them in public recep acle
205	(1)	ailure to co l with direction to coll ct and remove rubbish and filth accumulating on business premises
10	(1)	llowing rubbish or filth to ccu ulate on premises for more than twenty-fo r hours
	(2	Irre ular deposit of ru bish or filth
	(3	epositing carc ses of nimals, rubbi h or filth in improper places
	(4	eeping rubbish or fil h for more than twenty-four hours, etc
	(5)	allowing filth to low in streets
218		ailuin within str t al n ent or buildin lin without permission
223		nl wful displacement, etc , of pavement or fences posts and o er materi ls of p blic str et
226		nlawful ~ ing or ing of n street
227	(1)	ailure to comply with directions to alter or demolish private streets
228	(1	ailure to comply with requisition to m tal etc , rivate street
231		ll win, doors, round-floor windows, etc , to open outwards without lic nse or contrary to notice
232	(1,	Failure to remove per anent encro chment
233	(1)	ailure to remov te porary encro ch ent
235		nlawful re oval of bar, or storing of timber, etc , or removal or extinction of light
236		aking holes and causing obstruction in street.
237		onstruction etc , of building without license where street or foot-way is likely to be obstructed
238	(3,	Unlawful destruction, etc., of name of street
239	(2)	nlawful destruction, etc , of number of building
41	(5)	onstructin or reconstructing buildings contrary to eclaration iss d by orporation

5		Construction, reconstruction or retention of external roof, etc , with inflammable materials
5		Commencement of construction or re-construction of a building without permission
9		Constructing a building against orders of the Commissioner refusing permission till the private street or approach to the same is commenced or completed
0		Failure to obtain fresh permission for construction or re-construction of a building after lapse of permission of one year
52	(1)	Failure to comply with directions to alter the building work
57		Commencement of construction or re-construction of a hut without permission
61		Failure to obtain fresh permission for construction or re-construction of any hut after lapse of permission of six months
62		Failure to keep external walls of premises in proper repair
64		Unlawful commencement of construction or re-construction of building or wall etc
65	1,2 3	Failure to comply with requisition to take down repair or secure dangerous structure
66	1	Failure to comply with requisition to secure lop or cut down dangerous standing trees
67	1	Failure to comply with requisition to repair, etc , tank or other dangerous to passers by or persons living in neighbourhood
63	1 & 2	Failure to comply with notice regarding precautions against fire
69		Constructing wells, tanks, etc , without permission
70		Failure to comply with requisition to stop dangerous quarrying
71	(1)	Failure to comply with requisition to fill up, etc., tank or well, or drain off water etc
71	(3)	Cultivating contrary to prohibitions or regulations.
72		Failure to comply with requisition to cleanse or close, etc , tanks, well or other source of water used for drinking, bathing or washing clothes
274		Defiling water in tanks etc
275		Failure to comply with requisition to enclose, clear or cleanse unwanted premises
276		Failure to comply with requisition to clear or cleanse, etc , building or land in filthy state or overgrown with any thick or noxious vegetables *vegetation*
277		Failure to comply with requisition to abate nuisance caused or likely to be caused by dumping etc , of coal, ashes, etc
278		Failure to comply with requisition to fence building or land or trim, prune or cut hedges and trees or lower an enclosing wall.

		ailure to comply with requisition to lime-wash or other ise or cleanse b ildin
		ailure to compl ith requisition to execute ork or take othe ction with respect to insanitary buildings
	(2)	sing or allowing the use of buildings unfit for h man habitation after prohibition
	(4)	ailure to comply ith requisition to demolish the same
	(1)	Allowing overcrowding in buildings after order to abate the same
	(4)	ailure to comply with requisition to vacate overcrowded building or room
	(1)	eeping a lodging house, eating house, tea shop, etc , without license or contrary to license
7	(a)	nlawful of keeping of pigs
	(b)	nlawful keeping of animals so as to be a nuisance or dangerous
	(c)	eeding of animals on filth
9		se of place as stable, cattl -stand, etc , without license or contrary to license.
0		ailure to compl ith directions to alter, pave, repair the cattle shed or cow house.
1		Construction of maintenance of stable, cattle-shed etc , contrary to Act of subsidiary legislation
93		ing a public place or the sides of a public str et as a cart-stand, etc
95	(1)	Opening, or keeping open a new private cart-stand without license or contrary to license
96		ailure to remove c re of ani als
97	(1)	sing a place for any of the purposes specified in Schedule V without license or contrary to license
298	1,2 & 3	Unlawful erection of factory, workshop, work place or machinery
298	(5)	Disobedience of order regarding chimneys
299	(1)	isobedience of order regarding abatement of nuisance
299	(2)	isobedience of rules prohibiting the working of factory, etc , or the use of particular fuel
300		ailure to compl with requisition to put up factory etc , in order, to bate vercro ding etc
301		isobedience of order regarding abatement of nuisance or danger to life etc
396	(2)	ashing of clothes by washerman at unauthorised places
303		Use of place as slau hter-house without license or contrary t license.
310		sl ughter of animals for sale or food or skinning or cutting up carcasses without lice se or contrary to license or drying skin so as to cause a nuisance

13		Sale or exposure for sale in public market of animal or article without permission or contrary to permission
14	(2)	Opening private market without licence or contrary to license.
15		Keeping open private market without licence or contrary to license
18		Sale or exposure for sale of animal or article in unlicensed private market
319		Failure to comply with direction to construct approaches, drains, etc , to private markets or to pave them, etc
320	(2)	Opening or keeping open of private market after suspension or refusal of license for default to carry out works
321		Breach of market regulations
323		Failure of person in charge of markets to expel person suffering from leprosy or other infectious or contagious disease
324		Carrying on butcher's , fishmonger's or ~~pork~~ poulterer's trade without license.
325		Sale or exposure for sale of animal or article in public street
329		Preventing the Commissioner or any person authorised by him from exercising his powers of entry, etc , under Section 357
331		Removing or in any way interfering with an animal or article secured under section 329
335	(1)	Opening, etc , without license a new place for disposal of the dead
337	(4)	Use or allowance of use of unlicensed burial or burning ground
		Use or allowance of use of unregistered burial or burning ground
338		Failure to give information of burials or burnings in burial or burning ground
339		Construction of vault or grave or burial of corpse in place of public worship
340	(3)	Burial or burning in place after prohibition
341		Burial or burning, etc , of corpses
343		Discharge of office of grave digger or attendant at place for disposal of dead without license
346		Failure of Medical Practitioner or owner or occupier to give information of existence of dangerous disease in private or public dwelling
350		Failure to comply with requisition to cleanse or disinfect building or article
352	(2)	Washing of infected articles at unauthorised places
353		Giving, lending etc , of infected articles
354	~~(1)~~	Infected person carrying on occupation
355	(1)	Entry of infected person into public conveyance without notifying fact of infection
356	(1)	Failure to disinfect public conveyance etc
356	(2)	Using before obtaining certificate from Health Officer a public conveyance in which an infected person travelled

357		Letting or subletting of infected building without certificate from the Health Officer
358		Failure to close place of public entertainment
359		Sending infected child to school
360		Use or permitting the use of book from public or circulating library by infected person
364		Entering city within forty days of inoculation for small-pox without certificate
375	(4)	Destruction, etc., of board exhibiting printed copies of bye-laws and rules
385	(7)	Failure to produce licence on request
389		Failure to comply with requisition to attend, produce, document or give evidence
399	(1)	Failure of occupier to comply with requisition to owner or owner to comply with provisions of Act
401		Preventing the Commissioner or any person authorised by him from exercising his powers of entry, etc
403		Failure to obtain licences, etc., or of breach of the same
404		Removing etc., of notice exhibited by or under orders of the Corporation or Commissioner
475		Unlawful removal of earth, sand or other material from land vested in the Corporation or deposit of matter or encroachment in or on water courses

Secretary to Government,
Education and Local Departments

APPENDIX II

Form of Register of Compositions

Serial No	Name, Caste and residence (suspected offender)	Offence to be compounded with reference to section of the Act, rule or bye-law	Summary of statement of (suspected) offender or reason for not recording it	Summary of result of enquiry	Sum paid in composition	Remarks	Signature of Commissioner and seal and number of the order
1	2	3	4	5	6	7	8

Secretary to Government,
Education and L & G Departments

INL/-
2/7

CORPORATION OF THE CITY OF BANGALORE

No A1-5/55-56

Corporation Offices
Bangalore
Dated 7th October 1955

From
D R Chennarudraiya, B.A., M.Sc.,
Commissioner
Corporation of the City of Bangalore
Bangalore

To
The Secretary to the Government of Mysore
Education & Local Self Government Departments
BANGALORE

Sir

Subject - Rules for compounding Offences

In continuation of this Office letter No A1-72/55-56 dated 5th August 1955, forwarding therewith three copies of rules and three copies of list of offences compoundable etc I write to state that for evasion of Octroi Section 132(2) of the City of Bangalore Municipal Corporation Act provides for fine which may extend to ten times the value of the Octroi or to fifty - rupees whichever may be greater This penalty for evasion of Octroi has not been included in the Appendix I to the draft rules for compounding Offences, submitted to Government on 5th August 1955

I request you kindly to include the following offence in between Section 125(3) and 174 of Appendix I

Section of the Act	Sub-Section	Nature of Offence
132	(2)	For evasion of payment of Octroi

Yours faithfully,

(D R CHENNARUDRAIYA)
COMMISSIONER

VKR 7/10/55

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JBJECT Rules for Compounding of Offences

Diary No of letter replied to 5028

Mysore Government Secretariat

( )

the *195*

Date of issue

Signed by

List of en losures

Copied by Direct copy by rules

Examined by

Section CM
File No 27-52
Serial No 110

No L 12065 D 24-12-55

To
The Comm'r of Tech & Mayor

Sir

Reg Correspondence ending with your Letter no H1 5/53-56 dated 7/11-10-1953

With reference to the above, I am directed to state that Section 423(b) of the Corporation Act refers to Compounding offences against the Act, the Rules, Bye laws or regulations made by the Council ~~the draft Rules~~ be declared compoundable Table annexed should contain to the draft rules ~~should not~~ Contains

WD 0257—GPB—P Z S —1 20 000—6 6 55

not only the several Provisions as enumerated but also the several of the Act, the aforesaid Contempt offences specifically under the rules, bye-laws & regulations framed under the Provisions of the Act as well as the several offences ~~under the Rules, bye-laws, or regulations framed under the Act~~ may have to be specified clearly so that any person who wishes to compound any offence may readily able to understand the relevant provisions of Rules, bye laws, and regulation without much difficulty Courts also should know which offences are Compoundable

~~The~~ Appendix I to the draft Rules while containing most of the several Provisions Contained in Schedules VI and VII and some are ~~had~~ some others the reason for such ~~provision~~ may be clarified

M G S App F G 3]

MYSORE GOVERNMENT

SECRETARIAT

(*Continuation sheet draft form*)

The draft rules and the appendix may be forwarded and Secretariat again as to their accuracy

Once the rules have to be framed under Section 365 read with Section 423 of the Act, the Procedure laid down in Section 366 of the Act has may have to be followed

~~The draft~~ I am to request you to be so good as to revise these rules in the light of the above Memo and forward for consideration of Govt

Yours

WD 0758—GPB—PZS 1 20 000—1 7 ..

No L 12065/CM27-52-110
D 24-12-55

The
Education & L S G Departments

The Commissioner,
Corporation of the City of Bangalore
(thro' the Mayor)

Sir,

Subject Rules for compounding of offences

Reference Correspondence ending with your letter no A1 5/55-56 dated 7/11-10-1955

With reference to the above, I am directed to state that Section 423 (b) of the Corporation Act, refers to compounding offences against the Act, the Rules, bye-laws or regulations which may by rules made by the Government ~~be~~ The declared compoundable The table annexed to the draft rules should contain not only the several provisions of the Act, but also the several offences under the rules, bye-laws, and regulations framed under the provisions of the Act They have to be specified clearly so that any person who wishes to compound any offence may readily able to understand the relevant provisions of rules, bye-laws, and regulation without much difficulty Courts also should know which offences are compoundable

2 Appendix I to the draft rules while containing most of the several provisions contained in Schedules VI and VII omit some others The reason for such omission may be clarified

3 The draft rules and the appendix may be revised and scrutinised again as to their accuracy

4 Since the rules have to be framed under Section 65 read with Section 423 of the Act, the procedure laid down in Section 366 of the Act has to be followed

5 I am to request you to be so good as to revise the rules in the light of the above opinion and forward them for the consideration of Government

Yours faithfully,

(V Hanumanthappa)
for Secretary to Government,
Education & I S G Departments

knr-2/21 12